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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91174072
Party	Plaintiff Color Image Apparel, Inc.
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Date	06/04/2009
Attachments	Bella Roc - Consented Motion to Extend Deadlines.pdf ( 3 pages )(109049 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Trademark Application  
Serial No. 78/807,854  
Filed: February 6, 2006  
Published: September 26, 2006  
By Rocawear Licensing LLC  
For the Trademark BELLA ROC

Opposition No. 91174072

## CONSENTED MOTION TO EXTEND ALL DEADLINES

COLOR IMAGE APPAREL, INC., a  
California corporation

Opposer,

V.

ROCAWEAR LICENSING LLC  
A Limited Liability Company

Applicant.

## CONSENTED MOTION TO EXTEND DEADLINES

Opposer COLOR IMAGE APPAREL, INC. (“CLRI” or “Opposer”), along with Applicant ROCAWEAR LICENSING LLC, (“Rocawear” or “Applicant”), hereby request that the Trademark Trial and Appeal Board grant their Consented Motion to Extend all Deadlines in this matter, to allow the parties to continue their settlement discussions.

Currently, the thirty-day testimony period for Opposer ends on June 9, 2009. The parties request the Board extend this deadline, along with all other trial deadlines, for sixty (60) days.

In its Order of January 12, 2009, the Board stated that should the parties agree to another extension, they will be expected to report on the progress of their settlement negotiation. Such report must include a recitation of issues that have been resolved, issues that remain to be resolved, and firm timetable for resolution. Accordingly, the parties provide the following information:

### **Issues That Have Been Resolved**

The parties have agreed to enter into a co-existence agreement. The parties agree that the Opposer's mark and Applicant's mark must be sufficiently different as to avoid any likelihood of confusion. The parties are in the process of discussing several variations of the Applicant's mark.

### **Issues That Remain To Be Resolved**

The parties have yet to agree on the changes to be made to the Applicant's word mark. The parties have exchanged ideas and Applicant has already proposed a new composite mark for consideration. The parties need additional time to come to an agreement.

### **Timetable For Resolution**

The parties anticipate coming to an agreement regarding the terms of co-existence within the next sixty (60) days. The parties anticipate that an agreement regarding the language of any co-existence agreement will be completed within sixty (60) days thereafter.

Accordingly, the parties requires that the Board grant a sixty (60) day extension of all upcoming deadlines, beginning with Opposer's testimony period.

Dated: June 4, 2009

GORDON & REES LLP

By /Maha Sarah/

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Richard P. Sybert  
Maha Sarah  
Attorneys For OPPOSER  
COLOR IMAGE APPAREL, INC.

### **Certificate of Mailing by First Class Mail**

I hereby certify that the CONSENTED MOTION TO EXTEND ALL DEADLINES is being served by mail by depositing the CONSENTED MOTION TO EXTEND ALL DEADLINES with the United States Postal Service by First Class Mail service to Addressee as follows:

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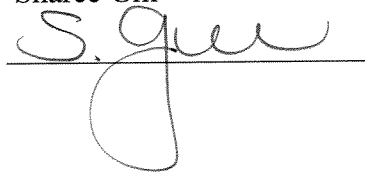
Date of Mailing:

June 4, 2009

Printed Name:

Sharee Gill

Signature:

A handwritten signature in cursive script, appearing to read "S. Gill", written over a horizontal line.